THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.24606 OF 2006

Date: 27-11-2006

Between:
G.Jitendra Kumar,
S/o G.Venkaiah, aged 49 years,
Business, R/o D.No.16-11-741/41/1/A,
Dilsukh Nagar, Hyderabad.

... Petitioner.

And

1. Municipal Corporation of Hyderabad,
   Tank Bund, Hyderabad, rep. by its Commissioner,
   and another.

... Respondents.

* * *

ORDER:

Heard the counsel. Smt. G.Jyothi Kiran, learned Standing Counsel states that in the light of the decisions of this Court, no objection certificate from the Revenue authorities cannot be insisted upon.

2. The writ petition is filed for a writ of Mandamus declaring action of the respondents for insisting no objection certificate for sanction of plan for construction of a residential house for the property bearing H.No.8-2-293/82/C/17 on Plot No.17, Shaikpet village, Hyderabad District, admeasuring 565.5 square yards is without jurisdiction, contrary to Article 14 of the Constitution of

India and to direct the respondents to receive application for sanction of the plan for construction of house and consider the same without insisting for no objection certificate from the District Collector.

3. Several factual details are narrated in paras 2 to 5 of the affidavit filed in support of the writ petition. It is stated that all other conditions, except no objection certificate from the District Collector, had been complied with. It is also stated that the respondents cannot insist upon the production of no objection certificate from the Revenue authorities in the light of the decisions of this Court.

4. In view of the same, the respondents are directed to receive application of the petitioner in relation to subject matter of the writ petition for sanction of a plan for construction of house and consider the same without insisting no objection certificate from the District Collector.

5. Accordingly, the writ petition is allowed to the extent indicated above. No order as to costs.

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P.S.NARAYANA, J.

Date: November 27, 2006.

BSB